



**THE ATTORNEY GENERAL  
OF TEXAS**

**AUSTIN, TEXAS**

**PRICE DANIEL  
ATTORNEY GENERAL**

April 27, 1949

Hon. Pearce Johnson, Chairman  
Committee on State Affairs  
House of Representatives  
51st Legislature  
Austin, Texas

Opinion No. V-812

Re: Constitutionality of House  
Bill No. 224 quitclaiming a  
lot in Borger, Texas.

Dear Sir:

In reply to your request concerning the constitutionality of the above bill, you are advised that the only constitutional provision which the bill may violate is Article III, Section 55, which provides as follows:

"The Legislature shall have no power to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual, to this State or to any county or defined subdivision thereof, or other municipal corporation therein, except delinquent taxes which have been due for a period of at least ten years." (Sec. 55, Art. III, adopted election Nov. 8, 1932)

It would appear from recitations contained in the bill that no debt is released in violation of this provision; however, this is a question of fact for your determination. If in fact no debt owing the State or its political subdivisions is released, then it is our opinion that the bill is constitutional.

SUMMARY

House Bill 224, 51st Legislature, quitclaiming State's interest to a lot in Borger, Texas, acquired under tax judgment and execution, to record owner is constitutional provided no State debt is released in violation of Article III, Section 55 of the Texas Constitution.

Yours very truly

ATTORNEY GENERAL OF TEXAS



By

H. D. Pruett, Jr.  
Assistant

HDP:bt

APPROVED



ATTORNEY GENERAL